

**REMARKS**

Claims 1-8 and 10-42 are pending in the present application. By this Amendment, the specification and claims 1, 2, 10, 12, 15, 23-27 and 29-37 are amended, claim 9 is cancelled without prejudice or disclaimer, and new claims 38-42 are added. Various amendments are made to the claims for clarity and are unrelated to issues of patentability.

The Office Action objects to the disclosure because of informalities. The above amendment to the specification obviates the grounds for objection. Withdrawal of the objection is respectfully requested.

The Office Action rejects claims 1, 5-6, 12, 15 and 22-23 under 35 U.S.C. §102(a) over U.S. Patent 6,411,306 to Miller et al. (hereafter Miller). The Office Action also rejects claims 2-4, 7, 16, 18-19, 24, 28-32 and 36 under 35 U.S.C. §103(a) over Miller in view of U.S. Patent 6,094,185 to Shirriff. Still further, the Office Action rejects the remaining claims over various combinations of Miller in view of U.S. Patent Publication 2003/0035020 to Menendez et al. (hereafter Menendez), U.S. Patent 6,559,826 to Mendelson et al. (hereafter Mendelson), and/or U.S. Patent Publication 2003/0043106 to Woo. The rejections are respectfully traversed.

**Independent Claim 1**

Independent claim 1 recites a sensor configured to measure a brightness of a display screen and to output a brightness signal and a controller configured to receive the brightness signal and to output brightness control codes based on the brightness signal, wherein the brightness control codes can be used to selectively adjust a brightness of the display screen. Independent claim 1 also recites the brightness control codes structured in an EDID format.

The Office Action asserts that Miller discloses all the features of independent claim 1. Applicant further submits that features regarding the brightness control codes structured in an EDID format were previously recited in dependent claim 9, which was rejected based on Mendelson. Applicant respectfully submits that Miller and Mendelson do not suggest all the features of independent claim 1.

More specifically, Miller does not disclose outputting brightness control codes. That is, the Office Action asserts that Miller's col. 5, lines 20-35 discloses outputting brightness control codes. However, Miller has no suggestion for the claimed brightness control codes.

Additionally, independent claim 1 recites that brightness control codes are structured in an EDID format. Miller does not teach or suggest features of the EDID format as stated on page 15 of the Office Action. The Office Action then relies on Mendelson's disclosure at col. 9, lines 66-col. 10, line 5. However, Mendelson relates to a flat panel display. This clearly differs from Miller's electronic camera display. Therefore, there is no suggestion for providing an EDID format within Miller's camera and as such there is no suggestion to modify Miller's camera display to include an EDID type of format. As is known to one skilled in the art, EDID formats correspond with computer displays (and not cameras). EDID is published by the Video Electronics Standards Association (VESA) as is well known to one skilled in the art. There is no suggestion for incorporating Mendelson's disclosure of an EDID format for computer displays within Miller's camera as alleged in the Office Action. Accordingly, independent claim 1 defines patentable subject matter for this reason.

Each of dependent claims 13, 20, 25 and 39-40 relate to the EDID format. As such, each of dependent claims 13, 20, 25 and 39-40 defines patentable subject matter at least for this reason.

**Independent Claims 12, 15 and 23**

Independent claim 12 recites a display portion of the computer system for displaying an image and a memory of the computer system configured to store a plurality of brightness control codes that can be used by the controller of a computer system to set the display screen to a corresponding plurality of predetermined brightness levels.

The Office Action asserts that Miller discloses all the features of original claim 12. That is, the Office Action states that Miller discloses a display screen for a computer and that Miller's camera display could be a display screen for a computer. However, applicant respectfully disagrees with this statement. Miller clearly relates to a display device for an electronic camera. See col. 4, lines 25-28. Miller has no discussion for features being provided within a computer system. For example, a computer system operates differently than an electronic camera in terms of how components interact with each other. Miller's disclosed electronic camera does not correspond to the claimed features of a computer system such as the claimed display portion and the memory of the computer system.

Additionally, as stated above, Miller does not store a plurality of brightness control codes. More specifically, Miller does not store a plurality of brightness control codes that can be used by a controller of the computer system to set the display screen to a corresponding plurality of predetermined brightness levels. Miller does not relate to predetermined brightness levels.

Miller does disclose a default value for the display illuminance. See col. 5, lines 20-23, However, Miller does not store a plurality of brightness control codes. Rather, Miller discloses adjusting the display to produce a different luminance value. See Miller's col. 5, lines 34-67. This cited section clearly shows that Miller does not utilize brightness control codes as alleged. Thus, Miller does not suggest storing a plurality of brightness control codes. Accordingly, independent claim 12 defines patentable subject matter at least for this reason.

Independent claim 15 recites a display screen of the computer system, a sensor of the computer system configured to sense a brightness of the display screen and to output a brightness signal, and a controller of the computer system coupled to the display screen and the sensor and configured to control a brightness of the display screen based on the brightness signal output by the sensor. For at least similar reasons as set forth above, Miller does not relate to the claimed display screen, sensor or controller of the computer system. Accordingly, independent claim 15 defines patentable subject matter at least for this reason.

Additionally, independent claim 23 recites reading brightness control codes from a memory of the display in the computer system, and controlling a brightness of the display using the brightness control codes.

For at least similar reasons as set forth above, Miller does not teach or suggest reading brightness control codes. Additionally, Miller does not teach or suggest the memory of the display in the computer system. Furthermore, Miller does not teach or suggest controlling a brightness of the display using the brightness control codes. Accordingly, independent claim 23 defines patentable subject matter at least for this reason.

**Independent Claims 28 and 36**

Independent claim 28 recites adjusting the driving of the display until the display is driven at a predetermined brightness level and setting a brightness control code corresponding to the predetermined brightness level.

The Office Action discusses independent claim 28 on pages 10 and 11. In particular, the Office Action states that Miller does not teach adjusting the driving of the display until the display is driven at a predetermined brightness level and setting a brightness control code corresponding to the predetermined brightness level. The Office Action cites Shirriff's col. 3, lines 23-32 as teaching these missing features. However, Shirriff does not relate to setting a brightness control code corresponding to the predetermined brightness level. Shirriff also does not teach brightness control codes. Shirriff also does not set a brightness control code based on a predetermined brightness level. Accordingly, independent claim 28 defines patentable subject matter at least for this reason.

Additionally, independent claim 36 recites adjusting the driving of the display until the display is driven at a predetermined brightness level, setting a brightness control code corresponding to the predetermined brightness level, repeating the driving, sensing, adjusting and setting a plurality of times to set a plurality of different brightness control codes corresponding to a plurality of different predetermined brightness levels, and using one of the brightness control codes corresponding to a desired brightness level to drive the display at the desired brightness level.

The Office Action on pages 13-14 discusses independent claim 36. The Office Action agrees that Miller does not teach the claimed adjusting, setting, repeating and using of independent claim 26. The Office Action then relies on Shirriff's col. 3, lines 23-38 relates to the adjusting and setting. However, for at least similar reasons as set forth above with respect to independent claim 28, Shirriff does not teach or suggest these features. Further, the Office Action also relies upon Shirriff for teaching repeating the driving, sensing, adjusting and setting a plurality of times to set a plurality of different control codes corresponding to the plurality of predetermined brightness levels. Shirriff does not teach or suggest these features as Shirriff does not set a plurality of different brightness control codes. Additionally, Shirriff does not teach or suggest to set codes corresponding to a plurality of predetermined brightness levels. Accordingly, independent claim 36 defines patentable subject matter at least for this reason.

### **Dependent Claims**

Each of the dependent claims depends from one of the independent claims and therefore defines patentable subject matter at least for this reason. In addition, the dependent claims recite features that further and independently distinguish over the applied references.

For example, dependent claim 6 recites a controller configured to output the brightness control codes to at least one of a system BIOS of a computer, an operating system of a computer, and a microcontroller of a computer system. See also dependent claims 19 and 32. The Office Action (on page 3) cites Miller's col. 5, lines 5-14 for these features. The Office Action states that "[t]he examiner interprets that any other physical device or medium employed to store a computer program to be either a system BIOS, and operating system or a

microcontroller." However, applicant does not understand this statement. That is, there is no suggestion in Miller for outputting brightness codes to at least one of a BIOS, an operating system and a microcontroller. Accordingly, dependent claim 6 (and similarly dependent claims 19 and 32) defines patentable subject matter at least for this additional reason.

Additionally, dependent claim 29 recites features relating to setting a new brightness control code that replaces the brightness control code provided by the display manufacturer. The Office Action discusses dependent claim 29 in the paragraph between pages 11-12. In particular, the Office Action appears to rely on Shirriff as teaching setting new brightness control codes that the values are updated or changed. However, applicant respectfully submits that the features of dependent claim 29 are not taught or suggested by Miller and Shirriff. That is, Miller and Shirriff do not teach or suggest brightness control codes provided by a display manufacturer and setting new brightness controls (corresponding to the predetermined brightness level) to replace brightness control code provided by the display manufacturer. Accordingly, dependent claim 29 defines patentable subject matter at least for this reason.

Still further, dependent claim 2 recites that the controller uses the brightness signal from the sensor to set a brightness control code that corresponds to the predetermined brightness level. Still further, dependent claim 3 relates to setting a plurality of different brightness control codes that correspond to each of the plurality of different predetermined brightness levels. See also dependent claim 30. Miller and Shirriff do not suggest setting a brightness control code(s) that corresponds to a predetermined brightness level(s). Thus, dependent claims 2, 3 and 30 define patentable subject matter at least for these additional reasons.

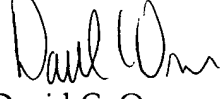
Even still further, dependent claim 38 recites that the brightness control code is set after the display is driven at the predetermined brightness level. The applied references do not teach or suggest these features. See also dependent claims 41-42. Shiffiff does not suggest setting a code after driving the display to a predetermined level. Thus, dependent claim 38 (and similarly dependent claims 41-42) defines patentable subject matter.

### CONCLUSION

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance of claims 1-8 and 10-42 are earnestly solicited. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,  
FLESHNER & KIM, LLP

  
David C. Oren  
Registration No. 38,694

P.O. Box 221200  
Chantilly, Virginia 20153-1200  
703 766-3701 DCO/kah:jljg

**Date: December 27, 2005**

**Please direct all correspondence to Customer Number 34610**